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In re Patent No. 7,851,036 :
Issue Date: December 14, 2010 :
Application No. 10/784,090 : DECISION ON PETITION
Filed: February 20, 2004 :
Attorney Docket No. 402200003DVC :

This is a decision on the Request Under 37 C.F.R. §3.81(b) For U.S. Patent 7,851,036 B2 To Be Corrected To State The Name Of Assignees Nike, Inc. and Nike IHM, Inc., filed January 3, 2011, which is being treated as a Petition Under 37 CFR §3.81(b), to change the name of the assignee identified on the Title Page of the patent from "BASF Coatings GmbH" to --Nike, Inc. and Nike IHM, Inc.-- via a Certificate of Correction. The requisite processing and petition fees have been submitted.

The petition under 37 CFR §3.81(b) is **DISMISSED**.

Petitioner requests that the present Petition was submitted to change the name of the assignee identified on the Title Page of the patent from "BASF Coatings GmbH" to --Nike, Inc. and Nike IHM, Inc.-- on the previously submitted PTOL-85B and such error was inadvertent.

37 CFR 3.81(b), effective June 25, 2004, reads:

After payment of the issue fee: Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in §3.11 before issuance of the patent, and must include a request for a certificate of correction under §1.323 of this chapter (accompanied by the fee set forth in §1.20(a) and the processing fee set forth in §1.17(i) of this chapter.

A review of United States Patent and Trademark Office (USPTO) records reveals that the assignment documents recorded in U.S. Patent Application 08/475,276 at Reel: 007718, Frame: 0054 on November 13, 1995 identify *Nike, Inc. and Tetra Plastics, Inc.* as the assignees. However, the present petition requests identification that *Tetra Plastics, Inc.* was re-named *Nike IHM, Inc.* in 1998. Notwithstanding, the name change was not timely filed for recordation, therefore, the instant petition cannot be granted.

U.S. Patent No. 7,851,036

Page 2

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Decision on Petition under 37 CFR §3.81(b)

Inquiries related this communication should be directed to the undersigned at (571)272-3213.

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Petitions Examiner

Office of Petitions